



Docket No. 5125-102 US

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Diane Dunn McKay

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

MURASE et al.

Serial No. 09/937,414

Filed: 01/30/2002

Title: DERMATOLOGICAL AGENT FOR

EXTERNAL USE

Customer No.

26817

Group Art Unit: 1623

Examiner: McIntosh, Travis C., III

Confirmation No. 2128

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In an August 10, 2004 Office Action, the Examiner required restriction to one of the following groups:

- I. Claims 10-13, drawn to methods of treating cutaneous inflammation by administering the chromanol glycoside of formula 1.
- II Claims 14-17, drawn to methods of treating the deposition of pigment or whitening the skin of a mammal by administering the chromanol glycoside of formula 1.

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III. Claims 18-19, drawn to treating the formation of wrinkles and sags in the skin by administering the chromanal glycoside of formula 1

in the skin by administering the chromanol glycoside of formula 1.

IV. Claims 20-21, drawn to promoting growth of cells in mammals by

administering the chromanol glycoside of formula 1.

Applicants hereby elect with traverse Group I, claims 1013, drawn to methods of

treating cutaneous inflammation by administering the chromanol glycoside of formula 1

for prosecution in this application. Applicants submit that a search of the methods of

Group I would uncover the methods and treatments of Groups II and III, and the

promotion of growth cells of Group IV. Applicants respectfully request the right to file a

divisional application directed to the nonelected claims.

A prompt action on the merits is earnestly solicited. The Examiner is invited to

telephone the undersigned should he believe this would expedite prosecution of this

application. It is believed no fee is required. The Commissioner is authorized to charge

any deficiency or credit any overpayment to Deposit Account No. 13-2165.

Respectfully submitted,

Dated: September 9, 2004

X

Diane Dunn McKay

Reg. No. 34,586 Attorney for Applicant

MATHEWS, COLLINS, SHEPHERD & McKAY, P.A.

100 Thanet Circle, Suite 306

Princeton, NJ 08540

Tel: 609 924 8555

Fax: 609 924 3036